

Leak, sen. James L. Vaughan, Charles Robinson, Thomas Crawford, William P. Leak, James Cole and John L. Campbell be, and they are hereby appointed Commissioners for the town aforesaid; and that the said Commissioners, or a majority of them, shall have power to make, ordain and enforce bye-laws, rules and regulations, for the government thereof; to levy, collect and appropriate town-taxes; and to do and perform such other matters or things, relating to the prosperity and well being of said town, as they in their discretion may think proper, having a due regard to the constitution and laws of the state.

2. *And be it further enacted*, that if any of the said commissioners should die, remove, or refuse to act, the remaining commissioners shall have power to fill such vacancy by the appointment of others in their stead.

CHAPTER 45.

An act to authorise and empower the Commissioners of the several towns of Fayetteville, Newbern, Wilmington and Tarborough to organize and keep up Fire Engine Companies.

1. *Be it enacted by the General Assembly of the state of North-Carolina and it is hereby enacted by the authority of the same*, That the respective Commissioners of each of the towns of Fayetteville, Newbern, Wilmington and Tarborough be, and they are hereby authorised and empowered, to accept as Fire-men, or as members of Fire Engine companies, any number of militia-men, not exceeding the number of sixty in each of said towns, who shall be willing to belong to said Fire Companies, and who shall be enrolled by the said commissioners in the several companies to which they may be allotted, and who shall, during their voluntary enrollment of Fire-men as aforesaid, conform to such regulations and rules as the said commissioners or the bye-laws of the said companies may require.

2. *And be it further enacted*, That in consideration of the enrollment of the said persons as Fire-men, or as members of Fire Engine Companies, each and every militia-man so enrolled shall be free and exempt from the performance of any militia duties (except in cases of war, invasion or insurrection) and shall not be liable to any fines for the non-performance of militia duties; *Provided*, he obtain and produce from the captain of the Fire Company in which he is enrolled a certificate, setting forth that he is a member of his company, and that he has faithfully performed his duty as such since the period of his enrollment.

3. *And be it further enacted*, That any person so enrolled in any of the Fire Companies by the said commissioners shall be at liberty to return to the performance of military duty whenever he thinks proper; and it is hereby declared that nothing in this act contained shall be construed so as to authorise the said commissioners, or any of them, to accept as Fire-men any person who now is a member of any chartered or uniform militia company in any or either of said towns.

4. *And be it further enacted*, That the said commissioners respectively shall have full power and authority to keep up the said Fire Companies, by accepting from time to time the services of not more than sixty members in each of said towns, and are authorised to elect all officers